

# State Scores in Hains Trial: Mrs. Annis on the Stand

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WEATHER—Rain To-Night and Friday.

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PRICE ONE CENT.

## SHOT WIFE, FIRED AT MINISTER

Christian F. Reiss Attempts Murder in Rev. Mr. Von Hollen's Home. USES TWO REVOLVERS. First Sends Word of His Purpose in Message Over the Telephone.

Christian F. Reiss, a well-to-do automobile painter, forced his way into the parsonage of the German Lutheran Church, at Morris avenue and Fordham road, the Bronx, to-day, carrying two loaded revolvers, and started an indiscriminate bombardment that endangered the lives of eight people.

He fired six shots from one revolver, two of them striking his wife, Mina, and inflicting slight scalp wounds.

The other shots were fired at his step-daughter, Emma Latch, at Rev. Herman von Hollen, pastor of the church, and at Mr. von Hollen's thirteen-year-old daughter, Mary. Leaving the house in the belief that he had killed his wife, Reiss fled pursued by his wife, the remaining loaded revolver until he ran across a couple of firemen, who knocked him down, took his weapon from him and held him until a policeman arrived.

Mrs. Reiss Left Home. The parsonage where the shooting took place is at No. 321 Morris avenue. Rev. Mr. von Hollen and his wife are old friends of Mrs. Reiss, the second wife of the would-be murderer. Mrs. Reiss, after two years of married life with Reiss, who has six children of his own, left his home at Edgewater last October taking all her personal effects and her daughter by a former marriage, Emma Latch, mother and daughter, went to live with the Von Hollen family.

Reiss blamed the minister for his domestic troubles. He swore out a warrant in New Jersey in October charging William, the minister's eighteen-year-old son, and a boy named Graft with burglary because they helped Mrs. Reiss move her effects from Edgewater. The boys were dismissed by the Recorder before whom the cases were called in New Jersey. Then the Rev. Mr. von Hollen swore out a warrant charging Reiss with defaming the character of the boys. He was held in \$3,000 bail for trial on that charge in the West Side Police Court and the case is pending.

Made Threat Over Phone. Reiss telephoned to the minister last night, stating that he would call at the parsonage to-day and kill everybody in it if his wife did not return to his home. For some reason Mr. von Hollen did not take the threat seriously.

The minister, his wife, Matilda, his four children, William and Mary, and Carl, aged eleven, and Lydia, aged ten, and Mrs. Reiss were at the breakfast table in the dining room to-day when Reiss reached the house. Emma Latch, who had prepared the meal, was in the kitchen.

Reiss did not bother to ring the bell. He kicked the front door off its hinges, jumped into the hall, turned into the parlor of the house and, through a wide opening had a full view of the dining room. His wife, who had felt instinctively that he was after her when she

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DEPEW KNOWS NOTHING OF NEW YORK PATRONAGE.

WASHINGTON, Dec. 17.—The nomination of Samuel B. Donnelly, of New York, to be Public Printer was called up in executive session to-day by Senator Elkins, in the absence of Senator Platt, chairman of the Committee on Printing. Several Senators asked Senator Elkins for information as to Mr. Donnelly's qualifications, which information the West Virginia Senator acknowledged he did not possess.

The question then was directed to Senator Depew, of New York, who replied: "Don't ask me about these matters connected with New York Federal patronage. I could not be expected to know, for I am only a Senator." The reply convulsed the Senate. The nomination went over.

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## BOY RUN OVER BY CAR ESCAPES STRANGELY WITH MINOR HURTS

"I Ain't Dead, Am I?" Asks Six-Year-Old Dicky Bumford, of Terrified Seekers After His Mangled Corpse—His Life Saved by Small Size That Grieved Him.

Dicky Bumford, of No. 311 West One Hundred and Thirty-fourth street, is the littlest six-year-old boy on his block, and has often felt humiliated about it, but now he is very glad that he was so small when a street car struck him this afternoon. Because of his diminutive stature his life was spared.

He was crossing Eighth avenue, at One Hundred and Thirty-third street, running with his head down in the whirling snowstorm when a north-bound car, running slowly, struck him. Down he went and out of sight. The car stopped within ten feet.

With white, scared faces, the motor-man and conductor got off and peered under the car. They could neither see nor hear the little boy. The conductor, believing he had been ground up by the motor and brake machinery, went to the store on the corner to summon the

wrecking wagon so that the car might be jacked up off its trucks. The motor-man and two policemen went into the car and began to tear out the floor. The very first section they removed revealed Dicky Bumford, all curled up against the shoe, or plow, that passes down through the slot to the third rail under the track. They pulled him out tenderly. His face was bloody and his left arm hung limp and powerless.

"I ain't dead, am I?" he whimpered. Ambulance Surgeon Moser, of Harlem Hospital, found Dicky to be suffering from a fracture of the collarbone on the left side and some minor cuts. He will be all right by Christmas. But if he hadn't been so small that he slipped under the fender and the truck frames—well, there wouldn't have been any Christmas at Dicky Bumford's house.

Alice was in her bath-tub when collector broke in flat.

Miss Kimball Screamed and Pounded Intruder, Just as She Was, Until Janitor Came to Help—Employers Repudiate Morton's Methods, So He's in Jail.

Miss Alice Kimball was taking her bath when it started. This assertion is part of the record of proceedings in West Side Court this afternoon. Miss Alice Kimball was taking her bath in her flat at No. 317 West Fifty-eighth street. Miss Kimball is generally proportioned. The bell rang. Miss Kimball, of course, ignored the bell, being engaged in her bath. The bell rang again—insistently. Miss Kimball, opening the bathroom door, called: "Who's there?"

The Thick Voice. "James M. Morton, a City Marshal," replied a thick voice. "You have mortgaged furniture in your flat, and I want the instalment due, or I'll take the furniture."

"You can't come in," cried Miss Kimball. "I'm taking my bath."

"Swear me," replied the thick-voiced individual, and the next thing Miss Kimball knew, bang! went her front door from the hinges, and into the flat stepped James M. Morton, ex-policeman and special collector for a Harlem instalment plan furniture house.

Morton had his coat open to display a large metal shield pinned to his vest. He was armed with a revolver. He was horrified that she went for Morton just as she was, shrouded only in her dignity and maidenly modesty. At the same time she screamed. When Alfred Paure, the janitor arrived, he found Morton and Miss Kimball in a battle.

Janitor to the Rescue. Paure lost no time in slamming Morton a right swing on the jaw, that put him out for the time being. This gave Miss Kimball a chance to put on a kimono and a pair of stockings. The upshot of it was that the policeman arrested Morton and took him to the West Forty-seventh street station house, where he was charged with impersonating an officer, illegally entering Miss Kimball's flat and felonious assault.

Magistrate Cornell held him in \$500 bail for examination this afternoon. His employers, declaring that they had no sympathy with Morton's methods, refused to give bail for him.

Southern Beauty Says Her Boston Hubby Was Too Stern

After a brief marital experience Mrs. Helen O. Rogers has discovered that there was an utter incompatibility between her warm, sunny Southern temperament and the stern New England Puritan temperament of her Boston-born husband, who is a stationer and accountant for the United States Steel corporation, and so it is the talk of the fashionable society of Hasbrouck Heights N. Y., that when she took her two new babies "to visit mother" at Cambridge, N. Y., she went with the firm resolve to secure a permanent separation from him.

She has filed a suit in the Court of Chancery, in Jersey City, asking for a separation. She says: "While I was at mother's something transpired at home. I shall not go into particulars. Suffice it that it was enough to move me to seek a separation. We have been married only five years. I am a Southerner, he a Bostonian. After two years of persistent wailing I gave my hand and heart to Mr. Rogers, and we went to Hasbrouck Heights to live. We were very happy for a year. Then, when our first baby came, he developed a grudge that made me miserable, and when Mildred, our second hostage to fortune, came he became unbearable; cross as a bear in the morning and two bears when he came home at night. He sent an invitation to me to return to our home, but at the same time he put a notice in the village paper that he would not be responsible for my debts and told our society friends that I 'wanted the earth.'"

Rose De Monti, an actress with the stage name of Rosalie Dupre, and who signs herself Countess de Monti, was married in the City Hall this afternoon to Frederic John Sargent, an actor. Both were members last year of Otis Skinner's company while playing "The Honor of the Family." The Countess was divorced in July, 1907.

The actress said she was Rose DeMonte De San Savino, Count de Monti-Ridolfi, on Dec. 22, 1897. She was divorced in London. She had no divorce papers with her and made an affidavit at the request of City Clerk Scully. She says her former husband is still living.

## FIRE TRUCK AND CAR COLLIDE; TWO MEN ARE DYING

Drivers of Car and Truck Both Mortally Injured on First Avenue at 86th Street.

CONDUCTOR ALSO HURT

Accident Occurred at Foot of Steep Hill While Wagon Was Going at Full Speed.

John Hade, driver of a fire truck and William Bluth, a motor-man, were probably fatally injured this afternoon, in a collision between the truck and a cross-town trolley car at Eighty-sixth street and First avenue. George Appio, conductor of the car, was painfully cut and bruised and several passengers were slightly injured.

An alarm of fire turned in from No. 170 First avenue for a blaze in a coal cellar caused the collision. Truck No. 15, drawn by three horses, and the crack piece of apparatus of the Fire Department, started to answer the alarm from Fire Hall in East Sixty-seventh street. Hade drove across to First avenue and started north.

The street was comparatively free of traffic and the big truck fairly flew along. At Eighty-fifth street there is a steep hill running down to Eighty-sixth street, where a trolley line, running from Second avenue and Eighty-sixth street to the Ninety-second street Ferry crosses. This line, since the abolition of cross-town transfers, has been equipped with old shabby cars.

Didn't Hear the Bell. William Bluth, of No. 152 Avenue A, driving a west bound car, was approaching the First avenue crossing, as the truck tore down the hill, with the alarm bell clanging. But Bluth did not hear the bell. He slowed down speed and started across the street.

A street-sweeper named Angelo Tontino, who had scurried to the sidewalk to get out of the way of the fire truck, looked around, saw the three horses and the truck bearing down upon him, and promptly stopped his car in such a way as to practically block First avenue.

Had he put on speed, he could have cleared the crossing and there would have been room for the truck to pass. Hade tried to swing the truck around and turn it to the west in Eighty-sixth street. He got the horses and the front axle around, but not far enough to clear the westbound car track. The front part of the truck smashed into the front part of the car.

The shock of the collision broke every window in the car, shot the motor-man and the conductor from their platforms to the street and threw Hade headlong under the feet of the horses. His companions had jumped like cats from the truck when they saw the collision was inevitable and alighted on their feet. They rushed up, grabbed the horses' heads and pulled Hade out, or he would have beenampled to death.

Two Ambulances Called. Two ambulances were called from Presbyterian Hospital. Hade and Bluth were found to be suffering from fractured skulls and internal injuries. Bluth is the more seriously hurt. Hade's home is at No. 237 East Eighty-fifth street, a couple of blocks from where the accident happened. The horses were not injured and the damage to the truck was not far from \$1,000. Street car traffic was kept for the rest of the afternoon on the First avenue line for nearly an hour.

JURY GIVES WOMAN \$1,000 FOR INVOLUNTARY FLIGHT.

KINGSTON, N. Y., Dec. 17.—For her involuntary balloon ascension at the Ellenville fair on Aug. 29, 1906, when she was whisked aloft at an aeronautics exhibition through becoming entangled in a dangling rope, a jury in the Supreme Court to-day rendered a sealed verdict for Mrs. Mary S. Roper for \$1,000.

Mrs. Roper had sued the Ulster County Agricultural Society for \$25,000.

POLICE CONNECT WOMAN WITH \$110,000 ROBBERY.

CHICAGO, Dec. 17.—Mrs. L. McDowell was arrested here to-day at the request of the police of Pittsburgh, where it is said she is wanted in connection with a \$110,000 diamond robbery. Mrs. McDowell is said to have left Pittsburgh yesterday for Chicago.

DR. BULL IS WEAKER.

Dr. Gerardus H. Wynkoop, who is attending Dr. William T. Bull at the Plaza Hotel, said this morning that Dr. Bull had passed a comfortable night, and that, although he was a little weaker, the change was not enough to amount to anything.

## T. J. HAINS'S DEFENSE SHATTERED; ON HUNT FOR ANNIS, WITNESS SAYS

Inquired for Brother's Victim Almost at Moment of Entering Bayside Yacht Club House on Day of the Murder.

"YOU'LL GET THE SAME," HIS THREAT AS CAPTAIN SHOT.

"Keep Back; He Knows What He's Doing," Writer Shouted to Annis's Friend, at Whom He Pointed Revolver—Mrs. Annis on the Stand.

Twice to-day did the State score in the trial of Thornton Hains, accused as an accessory in the murder of William E. Annis by his brother, Capt. Peter Hains.

Charles A. Birchfield, a member of the Bayside Yacht Club, where Annis was shot Aug. 15 last, called as a witness in the old Court-House at Flushing, testified that on that day Thornton Hains, with revolver pointed at him while the Captain was emptying his magazine gun into the body of his victim, shouted: "Keep back; he knows what he's doing! Don't interfere or you'll get the same." Long and vigorous cross-examination failed to shake this story.

Then Frank Ellison, the negro waiter at the yacht club, astounded the defense by swearing that when the Hains brothers arrived on the fatal day the second question asked of him was as to the whereabouts of Annis.

Mr. McIntyre made a strong but futile effort to have the negro's testimony stricken out, evidently fearing the effect of Ellison's statement that Thornton Hains had asked for Annis almost as soon as he reached the club on the ostensible hunt for real estate bargains.

Frederick A. Storm, real estate dealer and member of the yacht club, also testified as to Hains's desire to learn of Annis's whereabouts.

Earlier in the day Mrs. Annis, widow of the murdered man, confronted Thornton Hains on the stand. She was called for the purpose of proving the death of her husband.

No Puppet Show at Trial.

As soon as court convened the alert trial judge proceeded to correct one of the manifold blunders and errors of yesterday by announcing of his own volition that he would hereafter bar out of the case the much-advertised model of the scene of the tragedy at the Bayside Yacht Club because it was so patently inaccurate and out of proportion.

John F. McIntyre protested perfunctorily, but Justice Crane said that an exhibit which purported to reproduce a yacht landing and which had pigmies so small and boat models so huge was calculated to confuse rather than enlighten the jury as to the actual circumstances.

This being done, District-Attorney Darrin called at his first witness of the day Dr. Johnson McLeod, a physician of Flushing. Dr. McLeod's testimony was short.

"I was called to the Bayside Yacht Club late in the afternoon of Aug. 15," he said. "I found Mr. Annis lying on the boat. From a superficial examination I saw that he was suffering from gunshot wounds. Dr. Jones, the ambulance surgeon from our local hospital, was attending him, so, after staying a short time—probably fifteen minutes—I came away."

On cross-examination Mr. McIntyre brought out that Dr. Jones had quit the hospital and gone somewhere up-State. This witness did not know Dr. Jones's present location.

Dr. Leo Schmuck, house surgeon at Flushing Hospital, came next. He said Annis reached the hospital about 4 o'clock in Dr. Jones's ambulance.

Mrs. Annis and several friends had followed in carriages. Annis was suffering from shock and hemorrhages. He attended the victim until his death, but made no autopsy afterward. Therefore he could not say whether any bullets remained in the body. However, he probed without finding any bullets and he was inclined to think all or nearly all the charges passed entirely through the man.

For example, one bullet had made six separate wounds. Another had undoubtedly passed through the left forearm and then through the trunk. Most of the shot holes, there being about twenty in all, were in the abdomen and lower trunk. Nearly all of the bullets had taken a downward course, showing Annis had been shot while in a sitting or stooping position.

Dr. Joseph F. Floodgood told of mistaking Annis at Flushing Hospital. He had never seen Annis before Aug. 15, and knew who he was only by what he was told. He went on as follows: "When we etherized the patient we found two wounds in the right forearm, one in the right knee, two in the thigh, two in the abdomen and two in the groin, there being points of entrance

## J. D. ROCKEFELLER JR. CHARGES N. Y. AMERICAN OFFICERS WITH LIBEL: S. S. CARVALHO ARRESTED

Paroled in Custody of His Counsel—Bradford Merrill Will Surrender To-Morrow and E. H. Clark Is Out of the City—Quick Action in Case.

S. S. Carvalho, president of the Star Company, publishers of William R. Hearst's New York American, was arrested this afternoon on a warrant sworn out by John D. Rockefeller Jr., charging criminal libel. Warrants have also been issued for Bradford Merrill, treasurer, and Edward H. Clark, secretary of the Star Company. Mr. Merrill will give himself up to-morrow and Mr. Clark is said to be out of the city.

Mr. Carvalho went to Centre Street Police Court and was arraigned before Magistrate Finn, who paroled him in the custody of his counsel, Clarence Shearn.

He will be arraigned for examination on Dec. 23. Mr. Rockefeller got quick action on his criminal libel prosecution. The libelous publication complained of appeared in the American of to-day's date. It was in the shape of a despatch from Chicago, in which Mr. Rockefeller was accused of originating a system of peonage in the Corn Products Refining Company's plant, near that city.

In an affidavit upon which the charge of criminal libel is based, Mr. Rockefeller bases the publication as false and malicious, and purposely designed to injure his character. Assistant District-Attorney Garvan is in charge of the prosecution. The warrants were issued by Magistrate Finn.

and exit for nearly every one of them, showing that they had been fired at close range and with high powered velocity.

Judge Straightens Tangle. "One bullet passed through the fleshy parts of both thighs and through the lower part of the groin," said Dr. Floodgood on cross-examination, "making six separate wounds in its passage from side to side."

"Was he unconscious while in the operating room?" asked McIntyre. "Yes. He was conscious when he arrived at the hospital. It was about thirty minutes later that we administered the ether."

"Did you see Annis die?" "No." Dr. Walter G. Frey, of Long Island City, Coroner's Physician of Queens County, was called to prove that death had actually occurred, a fact which the prosecutor had not yet shown. There was a squabble because Mr. Darrin failed altogether to ask Dr. Frey at the outset how he knew the body upon which he performed the autopsy was Annis's body. Finally, when the judge had interfered to straighten out the tangle and set the examination on the

right track, Mr. Darrin said he'd have to withdraw Dr. Frey temporarily and after some delay he brought forward Harry R. Gilwith, a Long Island City reporter who was sitting at the press table. Mr. Gilwith, who knew Annis, said he saw the dead body at an undertaker's establishment in Long Island City just before the autopsy. He was not cross examined.

Allows No Concession. Dr. Frey now came back to the stand and told about the autopsy. He had just started to say that the wounds were inflicted by bullets of large calibre when Mr. McIntyre objected. "I concede that the objection is well taken," began the District-Attorney. "You'll concede no such thing," said His Honor. "Who should know better the size of the wounds than this witness? Go ahead, Doctor, and tell us." The Doctor went ahead and Mr. Darrin relented into his chair.

Twice during the cross-examination the Justice had to reprove McIntyre for trying to bully the witness. The second time the Judge took the physician in hand himself. Dr. Frey said not one bullet had stayed in the body.

Fails to Identify Hains. Martin Skura, of Bayside, the cabman who drove the Hains brothers to the yacht club, was called. He was a youth, rosy cheeked and badly scared. Questioned by Mr. Darrin: "Did you see the defendant on Aug. 15, 1908?" "I suppose I did. I was sitting on the box of my carriage as the afternoon train pulled into Bayside station from New York," faltered the cabman. "What then?" "A man spoke to me." "Do you see that man in the court room?" "No."

"Was that man accompanied by any one?" "Yes."

"Can you describe this man?" An objection by Mr. McIntyre was overruled. "He was a man of medium height and wore a straw hat. He had a mustache," said the cabman. "What did you do after the man spoke to you?"

"Well, we talked together a bit, and then this man with the mustache and the other man got into my carriage." "What did you do then?" put in the judge. Skura seemed so frightened that he could make no answer. He opened and